

U.S. Serial No. 09/811,248
Amendment dated October 16, 2008

REMARKS

The present application is a division of USSN 08/855,499, filed May 13, 1997, now U.S. Patent No. 6,271,278, which is a continuation-in-part of USSN 08/416,269, filed April 4, 1995, now U.S. Patent No. 5,750,585.

Patent '278 is the subject of reissue application USSN 10/807,227, filed March 22, 2004. USSN 10/807,227 claims the benefit under 37 CFR 1.78 of USSN 08/416,269, which claim was present on the filing date of the application.

The amendments to the specification presented hereinabove represent select portions of the specification of Patent '585. Those portions are found in Patent '585 as follows:

Paragraphs [0001-0004] are found at col. 3, line 18 - col. 4, line 6.

Paragraph [0005] is found at col. 5, lines 23-42 of U.S. Pat. No. 4,178,361, the pertinent disclosure of which, i.e., hydrophilic monomers, is expressly incorporated by reference into Patent '585 (see col. 3, line 67).

Paragraphs [0006-0008] are found at col. 4, lines 7-47.

Paragraph [0009] is found at col. 5, lines 19-38.

Paragraphs [0010-0011] are found at col. 6, lines 40-56.

Paragraphs [0012-0015] are found at col. 8, lines 30-67.

Paragraph [0016] is found at col. 9, lines 11-19.

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The Official Action mailed June 16, 2008 indicated that the amendments to the specification submitted on May 15, 2008 sought to introduce new matter into the application. The Action further indicated that incorporation of the added subject matter needed to be made by way of petition under 37 CFR 1.57(a). Accordingly, on August 15, 2008, Applicants submitted a Petition to the Commissioner to seek amendment of the specification to incorporate those portions of Patent '585 presented hereinabove. As of this date, that Petition had not yet been acted upon. However, after a telephone conversation seeking clarification with the Examiner's supervisor, Mr. Seidleck, Applicants hereby reply timely to the outstanding Action in order to avoid additional costs, with the understanding the Examiner will take up this Amendment after the Office of Petitions has acted upon the aforesaid Petition.

In the Action, claims 56-61, 63 and 74 were rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement (new matter). Also, claims 56-61, 63 and 74 were rejected under 35 USC 102(a) over Hahnle et al., under 35 USC 102(b) over Van Phan et al. and Park et al., and under 35 USC 102(e) over EP 0744435 for the reasons given in the Action.

Applicants respectfully submit that each and every of the aforementioned grounds for rejection is overcome once the foregoing amendments to the specification are entered and the proper claim of priority to Patent '585 is fully acknowledged.

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In view of the foregoing amendments and remarks, and subsequent to grant of the Petition, Applicants maintain that the application is in condition for allowance. A Notice of Allowability is solicited.

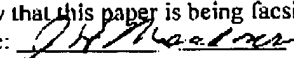
If, in the opinion of the Examiner, a telephone conversation could expedite prosecution, the Examiner is urged to contact the undersigned attorney at the number given below.

Respectfully submitted,


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CERTIFICATION OF FACSIMILE TRANSMISSION

I, James H. Meadows, hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown. Signature:  Date: 10/16/2008